

ITEM:	6
SUBJECT:	U.S. Department of Interior, National Park Service, Yosemite National Park, El Portal Wastewater Treatment Facility, Mariposa County – <i>Consideration of a Time Schedule Order</i>
DISCUSSION:	<p>The National Park Service (NPS) operates a WWTF at El Portal for the treatment of domestic wastewater from Yosemite Valley and the community of El Portal. The Discharger has experienced recurring spills from its main sewer line related to construction activities and flow testing that have resulted in discharges to the Merced River. The spills to the Merced River have been caused in large part by inadequate planning and preparation for construction and sewer line flow testing.</p> <p>The Discharger has also experienced recurring spills from its collection system in Yosemite Valley resulting from chronic sewer line obstructions caused by grease and trash. Although the Discharger implemented a grease control program in June 1999 for the Yosemite Valley collection system, recurring spills indicate that the program is inadequate. Both of the described spill situations violate WDRs Order No. 95-060, and an incident on 27 July caused the Executive Officer to issue Cleanup and Abatement Order No. 5-00-703 (C&A).</p> <p>Spills from the sewer line have been a recurring problem and the C&A cannot be further enforced by standard civil liability procedures because the Discharger is a Federal agency. A Time Schedule Order is the only administrative mechanism available to the Board to encourage compliance with the C&A and one is proposed. It specifies the maximum penalty (\$10,000/day) for discharges to the Merced River due to the potentially severe impact on beneficial uses and public health from this type of violation. The NPS should exercise a high level of diligence to avoid such violations. Lesser penalties are specified for each of the other time schedule tasks specified in the Order.</p> <p>The Time Schedule Order prescribes a schedule requiring the Discharger to prevent discharges of untreated wastewater to the Merced River, submit reports prior to initiating future sewer line flow tests, submit an engineering report addressing the capacity of the main sewer line, and prevent discharges from the Yosemite Valley collection system caused by obstructions. Each scheduled task includes specified penalties should compliance not be achieved.</p>
RECOMMENDATION:	Adopt the proposed Time Schedule Order.

Mgmt. Review _____

Legal Review _____